

DECLARATION OF [REDACTED]

1. My name is [REDACTED] I am over the age of 21 years, of sound mind, capable of making this declaration, and have personal knowledge of the facts stated herein. I am employed by the Texas Department of Criminal Justice ("TDCJ") [REDACTED]

[REDACTED]

2. I hold the following degrees and certifications:

[REDACTED]

3. I have been asked to provide information regarding my interactions with death row inmate Stephen Barbee and his chosen spiritual advisor, Pastor Barry Brown.

4. On or about September 13, 2021, I was visiting the Polunsky Unit where TDCJ currently houses death row inmates, including Mr. Barbee. I had occasion to speak with Mr. Barbee about his upcoming execution, and I asked him if he was going to want his spiritual advisor to be with him inside the execution chamber. Mr. Barbee responded, "No. I have some other stuff in the courts."

5. A few days later, I was surprised to learn that Mr. Barbee had submitted a Step 1 grievance requesting his spiritual advisor to be inside the execution chamber with him and to lay hands on him and pray aloud during his execution.

6. On September 29, 2021, I was present at Pastor Brown's mandatory spiritual advisor execution orientation. This was the second orientation that Pastor Brown has attended. Pastor Brown previously attended the mandatory spiritual advisor orientation on June 16, 2021, because another death row inmate, John Hummel, had

requested Pastor Brown to accompany him inside the execution chamber during his execution.

7. After Pastor Brown attended the mandatory spiritual advisor orientation on June 16, 2021, TDCJ approved Pastor Brown to be inside the execution chamber during Mr. Hummel's scheduled execution on June 30, 2021. Pastor Brown was inside the execution chamber during Hummel's execution on June 30, 2021. I saw Pastor Brown standing at the foot of the gurney where Mr. Hummel could see him. Pastor Brown stood there silently throughout Mr. Hummel's execution and did not touch Mr. Hummel or pray aloud.

Pursuant to 28 U.S.C. section 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 4, 2021, in Huntsville, Texas.

